

No. 308

AN ACT

HB 1978

Authorizing the Department of Property and Supplies, under certain circumstances, with the concurrence or approval of certain executives, officers, or departments, to sell and convey certain lands to the City of Philadelphia, the City of Monessen, the City of Monongahela, and Rush Township, Centre County, Pennsylvania.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The Department of Property and Supplies, with the concurrence of the Department of Environmental Resources, acting on behalf of the Commonwealth of Pennsylvania, for a consideration of one dollar (\$1), is hereby authorized to convey in fee to the City of Philadelphia, lands within the bed of the Delaware River in the City of Philadelphia, between the Bulkhead and Pierhead Lines of the Delaware River, as approved by the United States War Department on September 10, 1940, and lying north of Market Street produced, in the Fifth Ward of the City of Philadelphia, containing 0.2551 acres, more or less, and more fully described as follows:

All that certain parcel or area situate in the Fifth Ward of the City of Philadelphia and described in accordance with a plan made January 11, 1974 by Fred J. Kubach, Surveyor and Regulator of the Third Survey District:

Beginning at a point on the easterly side of Delaware Avenue (variable width), also the Bulkhead Line as established by the Secretary of War September 10, 1940, located north 14 degrees 03 minutes 50 seconds east at the distance of 86 feet 8 ½ inches from an angle point, which angle point is also the point of intersection of the said easterly side of Delaware Avenue, also the said Bulkhead Line, with the northerly side of Market Street (100 feet wide) produced; thence extending north 14 degrees 03 minutes 50 seconds east along the said easterly side of Delaware Avenue, also the said Bulkhead Line, the distance of 60 feet 3 ½ inches to a point; thence extending south 80 degrees 06 minutes 20 seconds east, the distance of 182 feet 7 ⅜ inches to a point; thence extending south 9 degrees 53 minutes 40 seconds west, the distance of 60 feet 1 ⅝ inches to a point; which point is also located, on a line, south 80 degrees 06 minutes 20 seconds east, the distance of 371 feet 11 ⅜ inches from the Pierhead Line as established by the Secretary of War on September 10, 1940; thence extending north 80 degrees 06 minutes 20 seconds west, the distance of 187 feet to a point on the said easterly side of Delaware Avenue, also the said Bulkhead Line, the first mentioned point and place of beginning.

Containing in area 0.2551 acres.

Section 2. The deed of conveyance contemplated in section 1 hereof shall be approved by the Department of Justice and shall be executed by the Department of Property and Supplies, with the concurrence of the Department of Environmental Resources, in the name of the Commonwealth of Pennsylvania.

Section 3. The Department of Property and Supplies, with the approval of the Governor and the Adjutant General, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey to the City of Monessen, Westmoreland County, its successor and assigns, at a consideration of one dollar (\$1), to be used by the City of Monessen for recreational purposes, the following described tracts of land situate in the City of Monessen, County of Westmoreland, and Commonwealth of Pennsylvania:

All those certain lots of ground situate in the City of Monessen, County of Westmoreland and State of Pennsylvania, bounded and described as follows, to wit:

Tract No. 1

All that certain parcel of land lying in the City of Monessen, Westmoreland County, Pennsylvania, and described as follows: Lot number 505 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue 22 feet and running back 104.36 feet on its eastern boundary line and 103.94 feet on its western boundary line to a 10 feet wide alley, and being 22 feet along said alley as per plan of lots of East Side Land Company duly recorded in Plan Book 2, Page 1, of the Deed Records of Westmoreland County, Pennsylvania. Being the same parcel of land conveyed to the Commonwealth of Pennsylvania by deed of Cleo Economy and his wife, dated February 10, 1930, and recorded February 18, 1930, in Deed Book, Volume 906, Page 146 of Deed Records of Westmoreland County, Pennsylvania.

Tract No. 2

All that certain parcel of land lying in the City of Monessen, Westmoreland County, Pennsylvania, and described as follows: Lot number 503 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue, 22 feet and 00 inches, and running back 104.69 feet on its eastern boundary line and 104.36 feet on its western boundary line to a 10 feet wide alley as per plan of lots duly recorded in Plan Book 2, Page 1, of the Deed Records of Westmoreland County, Pennsylvania. Being the same parcel of land conveyed to the Commonwealth of Pennsylvania by deed of P.

Mikalarias, Catherine Berbatis and N. Berbatis, dated February 10, 1930, and recorded February 18, 1930 in Deed Book, Volume 906, Page 147 of Deed Records of Westmoreland County, Pennsylvania.

Tract No. 3

All that certain parcel of land lying in the City of Monessen, Westmoreland County, Pennsylvania, and described as follows: Lot number 507 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue 22 feet and running back on its western boundary line 103.43 feet and on its eastern boundary line 103.94 feet to a 10 feet wide alley; the same being an irregular shape lot; as per plan of lots duly recorded in Plan Book 2, Page 1, in the recorder's office of Westmoreland County, Pennsylvania. And also those certain parcels of land lying in the City of Monessen, Westmoreland County, State of Pennsylvania, and described as follows: Lot number 509 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue 22 feet running back on its eastern boundary line 103.43 feet and on its western boundary line 102.83 feet to a 10 feet wide alley; being 22 feet wide at its rear end; same being an irregular shaped lot as per plan of lots duly recorded in Plan Book 2, Page 1, of the Deed Records of Westmoreland County, Pennsylvania. Also lot number 511 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue 22 feet and running back 102.83 feet on its eastern boundary line and 102.15 feet on its western boundary line to a 10 feet wide alley and being 22.01 feet wide at its rear end; same being an irregular shaped lot as per plan of lots duly recorded in Plan Book 2, Page 1, of the Deed Records of Westmoreland County, Pennsylvania. Also lot number 513 north of Schoonmaker Avenue, lying between Eighth Street and Ninth Street, fronting on Donner Avenue 23.14 feet and running back 102.15 feet on its eastern boundary line and 101.21 feet on its western boundary line to a 10 feet wide alley and being 27.82 feet wide at its rear end; same being an irregular shaped lot as per plan of lots duly recorded in Plan Book 2, Page 1, of the Deed Records of Westmoreland County, Pennsylvania. Being the same parcels of land conveyed to the Commonwealth of Pennsylvania by deed of Alfred N. Chalfant and Elta O. Chalfant, his Wife, dated February 10, 1930 and recorded February 18, 1930 in Deed Book, Volume 906, Page 194 of Deed Records of Westmoreland County, Pennsylvania.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject, nevertheless, to

any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

The conveyance shall also be made under and subject to any reservations set forth in the aforementioned deed to the Commonwealth. In the event that the above described premises are not used for recreational purposes, title to the premises shall revert immediately to the Commonwealth of Pennsylvania.

Section 4. The deed of conveyance provided for in section 3 hereof shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Section 5. The Department of Property and Supplies, with the approval of the Governor and the Secretary of Environmental Resources, is hereby authorized to convey to Rush Township, Centre County, Pennsylvania, its successors and assigns for a consideration of one dollar (\$1), fee simple title to the following described portion of Hannah Furnace Road, in said township and county, bounded and described as follows:

Beginning at a point on the southern paved portion of State Highway Route Number 504, leading from Philipsburg to Black Moshannon, said point being south 73 degrees 00 minutes west a distance of 97.00 feet from State highway marker sign I-80 being on the southern side of State Highway Route Number 504 as located on September 12, 1974; thence along the center line of the Hannah Furnace Road south 20 degrees 43 minutes east a distance of 334.95 feet; thence south 19 degrees 53 minutes east a distance of 50.00 feet; thence south 15 degrees 52 minutes east a distance of 50.00 feet; thence south 8 degrees 40 minutes east a distance of 50.00 feet; thence south 2 degrees 15 minutes east a distance of 50.00 feet; thence south 8 degrees 10 minutes west a distance of 50.00 feet; thence south 15 degrees 55 minutes west a distance of 50.00 feet; thence south 20 degrees 27 minutes west a distance of 60.00 feet to the boundary line of the Moshannon State Forest. Said road having a total distance of 694.95 feet and a width of 33.00 feet throughout its entire length with 16.50 feet on either side of the above described center line and parallel therewith, situate in Rush Township, Centre County, Pennsylvania.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas, sewer or pipeline companies as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

Title to the property conveyed shall revert to the Commonwealth of Pennsylvania whenever the property ceases to be used for public purposes.

Section 6. The deed of conveyance contemplated in section 5 hereof shall be approved by the Department of Justice and shall be executed by the Department of Property and Supplies, with the concurrence of the Department of Environmental Resources, in the name of the Commonwealth of Pennsylvania.

Section 7. The Department of Property and Supplies, with the approval of the Governor and the Adjutant General, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey to the City of Monongahela, Washington County, its successors and assigns, at a consideration of one dollar (\$1), to be used by the City of Monongahela for municipal purposes, the following described tracts of land situate in the City of Monongahela, County of Washington, and Commonwealth of Pennsylvania.

All those certain lots of ground situate in the City of Monongahela, County of Washington and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

Tract No. 1

Beginning at a point marking the intersection of the center line of Church Street, 20 feet in width, with the southerly line of Second Street, 60 feet in width; thence north 19 degrees 05 minutes east 92.56 feet to an Iron Pin on the northerly line of Second Street, being the southwesterly corner of the within described premises and the place of beginning; thence along the easterly line of land of the Commonwealth, north 37 degrees, 37 minutes west 132 feet, more or less to an Iron Pin marking the southerly line of Jackson Street; thence along the southerly line of Jackson Street, the following three courses and distances, (1) north 46 degrees 45 minutes east 39.10 feet more or less to an Iron Pin, (2) north 37 degrees 37 minutes east 98.90 feet, more or less to an Iron Pin, and (3) north 47 degrees 16 minutes east 33.73 feet more or less to an Iron Pin, marking the northwesterly corner of land, now or formerly of Anthony Barrone; thence along lines of Barrone south 37 degrees 37 minutes east 52.37 feet, more or less, to an Iron Pin marking the northerly line of land now or formerly of Bebout and Yohe Company; thence along northerly line of Bebout and Yohe south 46 degrees 45 minutes west 10 feet, more or less, to an Iron Pin marking the northwesterly corner of Bebout and Yohe; thence along westerly line of Bebout and Yohe south 37 degrees 37 minutes east 95 feet, more or less, to the northerly line of Second Street, thence along northerly line of Second Street south 46 degrees 45 minutes west 159 feet, more or less, to the Iron Pin or place of beginning, containing .591 of an acre of land be the same more or less.

Being the same premises or parcel of land conveyed to the Commonwealth of Pennsylvania, the grantor herein, by deed of Clyde M. Watson, single, dated September 30, 1968, and recorded in Washington County Deed Book, Volume 1288, Page 819.

Tract No. 2

Beginning on the northwesterly side of Second Street, distant measured along said side of Second Street, south 46 degrees 48 minutes 30 seconds west 336.21 feet from the corner formed by the northwesterly side of Second Street and the southwesterly side of Chess Street; thence along said side of Second Street south 46 degrees 48 minutes 30 seconds west 80 feet; thence north 38 degrees 57 minutes west 132.77 feet to the southeasterly side of Jackson Street; thence along said side of Jackson Street north 46 degrees 45 minutes east 80 feet to line of other premises of the said Catherine Louttit; and thence along Catherine Louttit's land, south 38 degrees 57 minutes east 132.85 feet to the northwesterly side of Second Street, at the place of beginning.

Being the same premises conveyed to the Commonwealth of Pennsylvania by deed of Catherine Louttit and Henry Louttit, her Husband, dated September 21, 1912 and recorded in Washington County in Deed Book, Volume 397, Page 257.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

The conveyance shall also be made under and subject to any reservations set forth in the aforementioned deeds to the Commonwealth. In the event that the above described premises are not used for municipal purposes, title to the premises shall revert immediately to the Commonwealth of Pennsylvania.

Section 8. The deed of conveyance provided for in section 7 hereof shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Section 9. This act shall take effect immediately.

APPROVED—The 13th day of December, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 308.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style with a large initial "C" and "T".

Secretary of the Commonwealth.